

HB0211S01 compared with HB0211

~~deleted text~~ shows text that was in HB0211 but was deleted in HB0211S01.

inserted text shows text that was not in HB0211 but was inserted into HB0211S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ken Ivory proposes the following substitute bill:

PENALTY FOR FALSE STATEMENT DURING DRUG{

}_ARREST

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: {}Ken Ivory

Senate Sponsor: {}_____

LONG TITLE

General Description:

This bill modifies offenses related to giving false information to a law enforcement officer.

Highlighted Provisions:

This bill:

- ▶ makes it a crime for an actor arrested for a crime to falsely claim the actor ingested drugs before the arrest; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

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Other Special Clauses:

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

76-8-506, as last amended by Laws of Utah 2005, Chapter 92

Utah Code Sections Affected ~~by~~ **By** Coordination Clause:

~~78-8-506~~ 76-8-506, as last amended by Laws of Utah ~~Code Annotated 1953~~ 2005, Chapter 92

Be it enacted by the Legislature of the state of Utah:

The following section is affected by a coordination clause at the end of this bill.

Section 1. Section **76-8-506** is amended to read:

76-8-506. Providing false information to law enforcement officers, government agencies, or specified professionals.

~~[A person]~~ An actor is guilty of a class B misdemeanor if ~~[he]~~:

(1) the actor knowingly gives or causes to be given false information to ~~[any]~~ a peace officer or ~~[any]~~ a state or local government agency or personnel with a purpose of inducing the recipient of the information to believe that another person has committed an offense;

(2) the actor knowingly gives or causes to be given to ~~[any]~~ a peace officer, ~~[any]~~ a state or local government agency or personnel, or to ~~[any person]~~ an individual licensed in this state to practice social work, psychology, or marriage and family therapy, information concerning the commission of an offense, knowing that the offense did not occur or knowing that ~~[he]~~ the actor has no information relating to the offense or danger; ~~[or]~~

(3) the actor knowingly gives or causes to be given false information to ~~[any]~~ a state or local government agency or personnel with a purpose of inducing a change in the ~~[person's]~~ actor's licensing or certification status or the licensing or certification status of another person; or

(4) (a) at the time of the actor's arrest for an offense, the actor states to a law enforcement officer that the actor ingested drugs before the actor's arrest;

(b) the law enforcement officer, based on the actor's statement described in Subsection (4)(a), takes the actor to a health care facility for medical treatment; and

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(c) a medical examination of the actor demonstrates that the actor's statement described in Subsection (4)(a) was false.

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.

Section 3. ~~{}~~ **Coordinating H.B. 211 with H.B. 15** ~~{-- Substantive technical amendment}~~.

If ~~{ this}~~ H.B. 211, **Penalty for False Statement During Drug Arrest**, and H.B. 15, Criminal Code Recodification and Cross References, both pass and become law, ~~{ it is the intent of }~~ the Legislature ~~{ that the Office of Legislative Research and General Counsel prepare the Utah Code database for publication by amending }~~ **intends that, on May 1, 2024**, Section 76-8-506 **be amended** to read:

~~"~~ ~~{}~~ 76-8-506. Providing false information to a law enforcement ~~{ officer}~~ **officers** ~~officer~~, government **agencies** agency, or specified ~~{ professional}~~ **professionals** ~~professional~~.

~~{}~~ [A person is guilty of a class B misdemeanor if he:]

~~{}~~ (1) Terms defined in Sections 76-1-101.5, 76-8-101, and 76-8-501 apply to this section.

~~{(1)}~~ (2) An actor commits providing false information to a law enforcement officer, government agency, or specified professional if:

(a) the actor knowingly gives or causes to be given:

(i) false information to [any] a peace officer or [any] state or local government agency or personnel with a purpose of inducing the recipient of the information to believe that another ~~{}~~ person has committed an offense;

~~{(2)}~~ ~~knowingly gives or causes to be given to any~~ (ii) ~~{}~~ information concerning the commission of an offense to a peace officer, [any] a state or local government agency or personnel, or to [any person] an individual licensed in this state to practice social work, psychology, or marriage and family therapy, [information concerning the commission of an offense,] knowing that the offense did not occur or knowing that [he] the actor has no information relating to the offense or danger; or

~~{(3)}~~ ~~knowingly gives or causes to be given~~ (iii) ~~{}~~ false information to [any] a state or local government agency or personnel with a purpose of inducing a change in the [person's] actor's licensing or certification status or the licensing or certification status of another ~~{}~~ ~~{}~~

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person; or

(b) (i) at the time of the actor's arrest for an offense, the actor states to a law enforcement officer that the actor ingested drugs before the actor's arrest;

(ii) the law enforcement officer, based on the actor's statement described in Subsection (2)(b)(i), takes the actor to a health care facility for medical treatment; and

(iii) a medical examination of the actor demonstrates that the actor's statement described in Subsection (2)(b)(i) was false.

(3) A violation of Subsection (2) is a class B misdemeanor."